



NCTA

NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION

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December 9, 2003

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: CS Docket No. 98-120

Dear Ms. Dortch:

On December 8, 2003, Robert Sachs (President and CEO), Daniel Brenner (Senior Vice President, Law and Regulatory Policy), and Diane Burstein (Deputy General Counsel) of the National Cable & Telecommunications Association ("NCTA") met with Commissioner Michael Copps and his Senior Legal Advisor, Jordan Goldstein, to discuss NCTA's views in the above-captioned proceeding.

Consistent with our written comments in the above-captioned proceeding, NCTA urged the Commission to adhere to its January 2001 ruling that "primary video" means a single digital program stream. NCTA also explained that interpreting the term to mean multiple digital program streams would be prejudicial to other programmers and would interfere with the ability of cable operators to provide the array of services that best meets the needs and demands of consumers.

Respectfully submitted,

/s/ Daniel L. Brenner

cc: Commissioner Michael Copps
Jordan Goldstein